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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Wasserman et al
TITLE : METHOD AND SYSTEM FOR TRANSFERRING FUNDS AND VIDEO MESSAGES
SERIAL NO. : 10/082,364
DOCKET NO. : 9264.2
CUSTOMER NO. : 21905

PETITION UNDER 37 C.F.R. 1.47(a) & SUPPLEMENTAL REPLY TO NOTICE TO FILE MISSING PARTS

August 19, 2002

Honorable Commissioner of Patents
Washington, D. C. 20231

Sir:

The Applicant and joint inventor, Mr. Max Wasserman, hereby petitions that the above-identified application be enter and given a filing date notwithstanding the failure to obtain the signature on a Declaration of the other joint inventor, Manual Hernandez.

REMARKS

The following is a supplemental reply to the Office Action of February 13, 2002, including the above petition under 37 C.F.R. §1.47(a), with accompanying Declaration of Mr. Max Wasserman.

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The enclosed Declaration of Mr. Max Wasserman, the joint inventor in the above-identified application, establishes as required under 37 C.F.R. §1.47(a) that Mr. Manuel Hernandez, the other of the joint inventors in the above-identified patent application, refuses to join by signing the required declaration under 37 C.F.R. §1.63). After a diligent effort to reach Mr. Hernandez at his last known address by forwarding a copy of the above-identified application and accompanying declaration under 37 C.F.R. §1.63, the signature of Mr. Hernandez could not be obtained. The transmittal letter of Mr. Wasserman forwarding the copy of the above-identified application and accompanying declaration under 37 C.F.R. §1.63 made it clear that the signed accompanying declaration under 37 C.F.R. §1.63 must be returned to Mr. Wasserman by August 16, 2002, and indicated that this could be by fax or returned by FedEx or UPS prepaid.

Mr. Hernandez is obligated to sign such declaration under 37 C.F.R. §1.63 according to the provisions of an assignment executed by Mr. Hernandez. This assignment has been submitted with Applicants' reply of May 20, 2002. As provided in this assignment (penultimate paragraph), Mr. Manuel Hernandez, agreed to "...make all rightful oaths and declarations..." in connection with this application. After the joint inventor, Mr. Wasserman, made a diligent effort to obtain Mr. Hernandez's signature on a rightful declaration under 37 C.F.R. §1.63 (copy attached to the Declaration of Mr. Wasserman), Applicants have been unable to obtain such signature. Consequently, the application should be considered in order in view of the signed Declaration of the joint inventor, Mr. Max Wasserman, whose signed declaration under 37 C.F.R. §1.63 has already been submitted.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being mailed with the United States Postal Service as First Class Mail, the correct postage paid, in an envelope addressed to: U. S. Commissioner of Patents, Washington, D. C. 20231, on Aug 20, 2002.

By: J. Johnson

AUTHORIZATION TO CHARGE/CREDIT DEPOSIT ACCOUNT

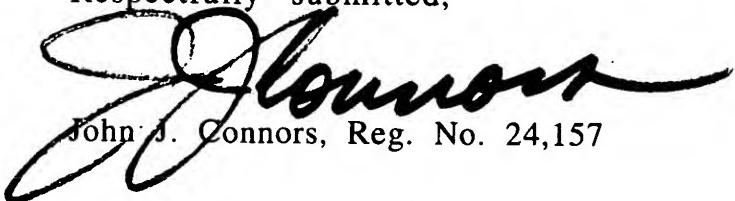
The commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 03-2830.

By: J. Johnson

CUSTOMER NUMBER

Please note Applicant's attorney Customer No. 021905, and confirm that this customer number has been entered in the U. S. Patent & Trademark Office records in connection with the above-identified application.

Respectfully submitted,



John J. Connors, Reg. No. 24,157

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